



General Assembly

January Session, 2015

Committee Bill No. 6155

LCO No. 5486



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

**AN ACT CONCERNING NOTIFICATION OF MEDICAID WAIVER AND
MEDICAID STATE PLAN AMENDMENT PROPOSALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-8 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) For purposes of this section, "application for a federal waiver",
4 "application for a waiver from federal law" or "waiver application"
5 means an application for a new waiver from federal law or proposed
6 changes to an existing waiver program that requires federal approval,
7 subject to the provisions of this section. The Commissioner of Social
8 Services shall submit an application for a federal waiver of any
9 assistance program requirements, except such application pertaining
10 to routine operational issues, and any proposed amendment to the
11 Medicaid state plan to make a change in program requirements that
12 would have required a waiver were it not for the passage of the Patient
13 Protection and Affordable Care Act, P.L. 111-148, and the Health Care
14 and Education Reconciliation Act of 2010, P.L. 111-152 to the joint
15 standing committees of the General Assembly having cognizance of
16 matters relating to human services and appropriations and the budgets

17 of state agencies prior to the submission of such application or
18 proposed amendment to the federal government. Not later than thirty
19 days after the date of their receipt of such application or proposed
20 amendment, the joint standing committees shall: (1) Hold a public
21 hearing on the waiver application, or (2) in the case of a proposed
22 amendment to the Medicaid state plan, notify the Commissioner of
23 Social Services whether or not said joint standing committees intend to
24 hold a public hearing. Any notice to the commissioner indicating that
25 the joint standing committees intend to hold a public hearing on a
26 proposed amendment to the Medicaid state plan shall state the date on
27 which the joint standing committees intend to hold such public
28 hearing, which shall not be later than sixty days after the joint standing
29 committees' receipt of the proposed amendment. At the conclusion of a
30 public hearing held in accordance with the provisions of this section,
31 the joint standing committees shall advise the commissioner of their
32 approval, denial or modifications, if any, of the commissioner's waiver
33 application or proposed amendment. If the joint standing committees
34 advise the commissioner of their denial of the commissioner's waiver
35 application or proposed amendment, the commissioner shall not
36 submit the application for a federal waiver or proposed amendment to
37 the federal government. If such committees do not concur, the
38 committee chairpersons shall appoint a committee of conference which
39 shall be composed of three members from each joint standing
40 committee. At least one member appointed from each joint standing
41 committee shall be a member of the minority party. The report of the
42 committee of conference shall be made to each joint standing
43 committee, which shall vote to accept or reject the report. The report of
44 the committee of conference may not be amended. If a joint standing
45 committee rejects the report of the committee of conference, that joint
46 standing committee shall notify the commissioner of the rejection and
47 the commissioner's waiver application or proposed amendment shall
48 be deemed approved. If the joint standing committees accept the
49 report, the committee having cognizance of matters relating to
50 appropriations and the budgets of state agencies shall advise the

51 commissioner of their approval, denial or modifications, if any, of the
52 commissioner's waiver application or proposed amendment. If the
53 joint standing committees do not so advise the commissioner during
54 the thirty-day period, the waiver application or proposed amendment
55 shall be deemed approved. Any application for a federal waiver or
56 proposed amendment submitted to the federal government by the
57 commissioner, pursuant to this section, shall be in accordance with the
58 approval or modifications, if any, of the joint standing committees of
59 the General Assembly having cognizance of matters relating to human
60 services and appropriations and the budgets of state agencies.

61 (b) If in developing the budget for the department for the next fiscal
62 year, the commissioner contemplates applying for a federal waiver or
63 submitting a proposed amendment to the federal government, the
64 commissioner shall notify the joint standing committee of the General
65 Assembly having cognizance of matters relating to appropriations and
66 the budgets of state agencies and the joint standing committee of the
67 General Assembly having cognizance of matters relating to human
68 services of the possibility of such application or proposed amendment.

69 (c) [Prior] Forty-five days prior to submission of an application for a
70 waiver from federal law or proposed amendment to the joint standing
71 committees of the General Assembly under subsection (a) of this
72 section, the Commissioner of Social Services shall publish a notice that
73 the commissioner intends to seek such a waiver or submit a proposed
74 amendment to the federal government [in the Connecticut Law
75 Journal] on the Department of Social Services' Internet web site, along
76 with a summary of the provisions of the waiver application or the
77 proposed amendment and the manner in which individuals may
78 submit comments. In the case of proposed changes to existing waiver
79 programs, the commissioner shall also publish a notice (1) in
80 newspapers with circulation state-wide, (2) in smaller newspapers in
81 local communities where waiver program participants reside, and (3)
82 by mail to all waiver program participants. The commissioner shall
83 allow fifteen days for written comments on the waiver application or

84 proposed amendment prior to submission of the application for a
 85 waiver or proposed amendment to the General Assembly under
 86 subsection (a) of this section and shall include all written comments
 87 with the waiver application or proposed amendment in the submission
 88 to the General Assembly.

89 (d) The commissioner shall include with any waiver application or
 90 proposed amendment submitted to the federal government pursuant
 91 to this section: (1) Any written comments received pursuant to
 92 subsection (c) of this section; and (2) a complete transcript of the joint
 93 standing committee proceedings held pursuant to subsection (a) of this
 94 section, including any additional written comments submitted to the
 95 joint standing committees at such proceedings. The joint standing
 96 committees shall transmit any such materials to the commissioner for
 97 inclusion with any such waiver application or proposed amendment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	17b-8

Statement of Purpose:

To increase access to information concerning proposed Medicaid waiver applications and Medicaid state plan amendments.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. ABERCROMBIE, 83rd Dist.; SEN. MOORE, 22nd Dist.
 REP. ROSE, 118th Dist.

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